

**BEFORE THE APPEALS BOARD
FOR THE
KANSAS DIVISION OF WORKERS COMPENSATION**

SHAUNA MILLER)	
Claimant)	
VS.)	
)	Docket No. 1,056,258
CARROLL SEATING COMPANY)	
Respondent)	
AND)	
)	
HARTFORD UNDERWRITERS INSURANCE CO.)	
Insurance Carrier)	

ORDER

Respondent requests review of the February 9, 2012, Settlement Agreement entered by Special Administrative Law Judge Michael Wallace. The Appeals Board (Board) placed this matter on its summary docket as of May 3, 2012.

APPEARANCES

Dennis L. Horner, of Kansas City, Kansas, appeared for claimant. Anemarie Mura, of Overland Park, Kansas, appeared for respondent and its insurance carrier.

RECORD AND STIPULATIONS

The Board has considered the record and adopted the stipulations listed in the Settlement Award, including the Worksheet For Settlement, with attachments, and the Transcript Of Settlement Hearing dated February 9, 2012, with exhibits.

ISSUES

The parties appeared before Special Administrative Law Judge Michael Wallace on February 9, 2012, in order to settle this matter as a running award and based upon an amount of compensation that approximates a 31 percent impairment to the right lower extremity. The settlement amount had been correctly calculated at \$32,159.40. However, the Worksheet For Settlement incorrectly listed a lump sum settlement amount of \$33,196.80. A settlement in that incorrect amount was approved by the SALJ. Respondent now appears before the Board requesting a modification of the settlement to reflect the correct amount of the agreed settlement. Claimant, on March 28, 2012, filed

with the Board her response to respondent's request stating, "COMES NOW the claimant, Shauna Miller and stipulates that the Board may enter an appropriate Order correcting a clerical error made by the respondent and insurance carrier herein."

CONCLUSIONS

Having reviewed the entire evidentiary file contained herein, the Board finds the Settlement Agreement of the parties should be modified to reflect a settlement amount of \$32,159.40. In all other regards, the agreed upon Award entered on February 9, 2012, remains in full force and effect.

AWARD

WHEREFORE, it is the finding, decision and order of the Appeals Board that the Settlement Agreement of Special Administrative Law Judge Michael Wallace dated February 9, 2012, is modified to order a lump sum payment of \$32,159.40. In all other regards, the Settlement Agreement remains in full force and effect.

IT IS SO ORDERED.

Dated this _____ day of May, 2012.

BOARD MEMBER

BOARD MEMBER

BOARD MEMBER

c: Dennis L Horner, Attorney for Claimant
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Anemarie Mura, Attorney for Respondent and its Insurance Carrier
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Michael Wallace, Special Administrative Law Judge
Marcia Yates, Administrative Law Judge